

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

WALLSTEIN DWAYNE ALLEN,
ANDRE PAGE, MICHAEL E. GREEN,
and AQUAYA STEPHANIE PERRY,
Defendants,

CRIMINAL ACTION
NO. 04-10234-NMG

STATUS REPORT
May 27, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Gorton, J. to whom this case is assigned:

1. Wallstein Dwayne Allen

Counsel for the Government and Mr. Allen have requested additional time within which to complete plea negotiations. I have granted that request.

2. Messrs. Page, Green and Ms. Perry

Counsel for the Government and Messrs. Page, Green and Ms. Perry have notified the Court that these Defendants are prepared to proceed to trial. Therefore, I am returning this case with respect to those three Defendants to Judge Gorton for all further proceedings.

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3. Discovery

Completed.

4. Substantive Motions

None anticipated.

5. Defenses

None of the Defendants who are proceeding to trial intend to present an alibi, public authority or insanity defense.

6. Interpreter

None needed.

7. Unusual Circumstances of Trial

Counsel have informed me that this case will involve a great deal of video and audio evidence.

8. Further Status Conference

A further status conference shall be held in this case with respect to Mr. Allen on June 30, 2005, at 2:45 p.m., in Courtroom 1, Fifth Floor, Donohue Building, 595 Main Street, Worcester, Massachusetts.

9. Excludable Time

I am excluding from the Speedy Trial Act, the period from May 26, 2005 (date of expiration of prior order of excludable time) through June 30, 2005 (date by which plea negotiation between the Government and Mr. Allen should be completed). Therefore, assuming

no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, September 8, 2005.

A handwritten signature in black ink, appearing to read 'C B Swartwood III', with a stylized flourish at the end.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE